

Comments From the Editor...

GRATITUDE: This issue we have an article on hearing loss. Recently I had an interaction with a legally blind lawyer who is struggling with her practice. She wants to specialize in criminal law. But because she has difficulty with transportation she cannot get court appointments outside of the county where she resides. After meeting with her I was impressed by her grit and determination to fulfill her dream to practice law despite her handicap. I know that I sometimes take my own recovery and the issues associated with it for granted. My experience(s) always remind me that I need to be grateful for all I have been blessed with since entering into recovery. It started with the support of the Oregon LAP and its members, and it continues today in my position as a LAP director. Where would we all be without the help of those in our programs who are willing to give all they give to help other lawyers in distress? I know that I wouldn't be where I am today without having received unconditional support from lawyers.—Hugh Grady

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Highlights

of the American Bar Association
Commission on Lawyer Assistance Programs

Coaching and Late Onset Hearing Loss

by Homer Mullins, J.D. and Norma Svedosh, Ph.D.

As the nation's bulging population of baby boomers continues to "gray," increasing numbers of Americans over the age of 40 are beginning to lose the ability to read without glasses. First come the trips to the drugstore to check out the reading glasses. Then on to the optometrist to be fitted with bi-focals, tri-focals, and the progressive lenses. So many choices.

Hearing, much like eyesight, can diminish over time and we need the help of hearing aids and assistive listening devices. But in our country especially, Americans have become so fixated on youth and vitality that they will not even allow themselves to think about anything which might suggest they are, or appear to be, growing old. In addition to age and vanity issues, hearing loss is often associated with persons who move and think slowly. So, rather than "give in" to hearing aids and the stigma they symbolize, some people will attempt to "pass" for hearing by faking understanding with a nod of the head or inserting such words as "right" or "ok" at appropriate places in a conversation to indicate comprehension and agreement with something a speaker has said.

Another aspect of hearing loss that is particularly insidious has to do with the rate of decline. After first noticing a problem, the average listener will often wait from 7 to 10 years before having his hearing checked. During this period, hearing deteriorates so gradually that the loss is barely perceptible from one year to the next. He continues to assert that his hearing "just isn't all that bad," "it's not serious enough to buy hearing aids," or that "he does fine as long as people continue to speak up."

Unfortunately, this scenario makes it possible for some listeners to maintain a state of denial as to the existence of a medical problem they'd rather forget anyway. But at this point, it's no longer a casual matter. The corner drugstore is not an option. A hearing professional must be consulted to determine the proper course of treatment. If the patient has waited too long, his inner ear may have deteriorated to the point where part of his hearing may be irretrievably lost and hearing aids are no longer a viable option.

Coaching is an ancient profession dating back before antiquity. Then, it applied primarily to athletes, orators and musicians. Today, it is experiencing resurgence in growth and gaining popularity in such diverse areas as executive performance and specialized life issues. Hearing enhancement coaches are available to help you deal with the anxieties, stresses and embarrassment that many experience when hearing begins to deteriorate. A hearing enhancement coach plays a similar role to that of the modern athletic coach. The heart of the coaching relationship is the open and honest collaboration that occurs between coach and client in a totally confidential, judgment-free environment. This partnership focuses on identifying the particular problems that may be getting in your way, helping you design solutions for success by goal setting, strategizing, anticipating obstacles, monitoring progress and creating accountability.

If you are having trouble hearing, or feel that you are missing parts of conversations and have to bluff it to avoid embarrassment, or pretend to hear when you're not sure what has been said, you may well have a hearing loss. To ignore it over extended periods of time not only exposes you to serious emotional problems and loss of relationships with family members, longtime friends and co-workers, but raises the possibility that the brain may lose some or all of its ability to identify speech. A hearing coach can help you find the assistance you need. After an examination by a hearing health professional, a coach can help you understand your diagnosis and its potential consequences, and guide you through the complex and myriad decisions and options you may face regarding treatment. More important, a coach can help you, your family and co-workers understand your hearing loss and adjust to its challenges.

The first step is to recognize that you are not alone. Hearing loss affects more than 32 million Americans. Over 24 million have not taken any action to help themselves.

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Late Onset Hearing Loss

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The second step is to recognize that there are many options available to you if you heed the warning signs and seek treatment early on. If you are unable for any reason to consult with an audiologist or other hearing health professional, a hearing coach can help you overcome your concerns and denial, and facilitate getting the help you need. On the other hand, doing nothing will make a bad situation much worse. In fact, it can substantially increase the chances, as the saying "use it or lose it" illustrates, that you may lose your ability to participate easily in conversation, particularly where novel ideas are discussed.

The third step is to recognize that loss of

your hearing often changes the dynamics in the life of a family. Depression and anxiety are frequent "companions," and feelings of anger, guilt and abandonment may settle upon not only the affected person, but also upon his immediate circle of family. Always be open to adding a mental health professional, if needed, to his treatment team.

The fourth and final step is to recognize that taking charge of your hearing issues and pursuing pro-actively appropriate treatment choices provides the best chance of arresting, or slowing, further hearing dysfunction and enhance the quality of your life and the lives of those closest to you. Responding appropriately to your hearing challenges may not be as simple and convenient as going to the drug-store for that first pair of reading glasses, but

the results may help you remain involved in the world around you, permit you to enjoy many of the activities that may have become more difficult over time, and improve your relationships with family, friends and co-workers.

The authors, Norma Svedosh and Homer Mullins are co-founders of Odyssey Hearing Solutions and graduates of the American Coaching Association. Dr. Svedosh is also a graduate of Mentor coach, a coach training program for mental health professionals. Odyssey assists persons whose home lives or careers have been, or are threatened to be, upended by challenges to their hearing, attention and auditory processing functions. www.odysseyhearingsolutions.com, or info@odysseyhearingsolutions.com.

Around the LAPs

CALIFORNIA: Jim Heiting, the State Bar of California's 81st president, was honored at the LAP's "Saving Careers, Saving Lives" Dinner on January 28, an evening of fine dining, camaraderie, and entertainment. Heiting, a recovering alcoholic, has rebuilt his career and personal life while dedicating himself to the recovery community and the legal profession. Elected to the State Bar Board of Governors in 2002, Heiting worked with former State Senator John Burton to help develop the legislation that created the LAP. Proceeds from the fundraiser will go toward the LAP's Financial Assistance Plan, a loan program for those lawyers who need treatment but are unable to pay for it.

Two new members were appointed to the LAP Oversight Committee in January—former State Senator John Burton, and Philip Belleville, a former member of an LAP Evaluation Committee and a retired partner with the firm Latham & Watkins.

The 2005 LAP Annual Report was released on March 1. Maintaining a 2004 trend, the report highlights the increased participation in the program by attorneys not facing discipline by the State Bar. During 2005, the proportion of new LAP participants who were not involved in disciplinary proceedings increased to nearly three-quarters compared to 50 percent in 2004. The report also contains a statement from the Office of the Chief Trial Counsel noting that the vast majority of disciplined attorneys who participate in the LAP are honoring their obligations to their clients and to the profession; and most important, there has been virtually no recidivism (new complaints filed against this population) to date.

COLORADO: - Attendance at peer support meetings is up sharply, about 20% over a year ago. We now have at least one new attendee each week. Because participation in our peer support meetings is strictly voluntary, we are not always successful in getting new people to stay for more than three or four meetings. Their interest is usually dictated by an immediate crisis. Once that crisis passes, they drift away. But we are encouraged that there is increased interest in our services. John Holt, President - Colorado Lawyers Helping Lawyers

KANSAS: Good News - Suicide Prevention—there have been several threats, which were dissuaded by KALAP personnel. One attempt was rescued by KALAP volunteers and stabilized until resuscitated by Emergency Medical Technicians at the scene. Don Zemites thanks Paul Quinnett & QPR Institute for their training.

KALAP had its first KBA Journal Special Issue. It was devoted largely to Kansas LAP. They also now run ongoing articles and ads each week, month or quarter in thirteen other Kansas Journals and Newsletters. Planning is underway for a periodic newsletter to all Kansas lawyers with an expected start up in the fall 2006. KALAP published its first Volunteer Newsletter in September. It was distributed to 135 Volunteers.

Director Don Zemites reports that he opened 242 new cases since July 2002, increased County Bar LAP Committees from three to twenty-three, and increased volunteer participants from 30 to 135. He is planning a second Volunteer Training Conference for 2007.

Utilizing products and services from other LAPs, Mr. Z. has sent California LAP's fabulous video on their program and "Flying

High" audio to all judges in Kansas. He has distributed KALAP brochures and materials to all Kansas Law Libraries. KALAP has established their first Law Office Management Committee with 17 volunteers. The new KU Law School Dean, Gail B. Agrawal, bodes well for presentations soon. The ABA CoLAP "Tool Kit," helped. It had been distributed to all ABA accredited law schools and LAP Directors. Mr. Z. would like to thank current and past chairs of the ABA CoLAP Law School Assistance Committee and its members for the development and distribution of the "Tool Kit," for which production costs were donated by the South Texas College of Law and distribution costs by ABA CoLAP.

KALAP has received a generous combined contribution from Kansas Bar Association, Kansas Bar Foundation and a malpractice carrier. They are now encouraged to ask for contributions from all other malpractice carriers that do business in Kansas. He is beginning to review process to establish KALAP as a 501(c) (3) entity and will then submit new grants applications for additional funding.

Bad News: - Due to budget cuts, KALAP was reduced from one full time Secretary and one part-time Administrative Assistant to one Secretary/Assistant.

MAINE: Held its second volunteer training gathering on Oct. 21st, over forty folks were in attendance with several of our commissioners making informative and well accepted presentations. There was a free lunch and CLE credit included which helped with the attendance. Lots of good ideas exchanged and suggestions for the next training.

MISSISSIPPI: I am just digging out from a
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Here's a great article on Beth Griffin, who just joined us as a LAP Director for Connecticut. Many of you met her in Charleston. Reprinted with Special Permission in Support of LCL-CT - © Connecticut Law Tribune - April 6, 2006

Retired Lawyer Helps Others with Addiction and Mental Health

by Douglas S. Malan

Beth Griffin believes there are plenty of lawyers and judges who need help with substance abuse, addiction and mental health concerns. More than 15 years ago, she was one of those people. Today, she is the newly appointed executive director of Lawyers Concerned for Lawyers-Connecticut Inc., a program designed to offer assistance to legal professionals in crises. Griffin, a retired insurance defense lawyer, wants to keep the Connecticut percentages down by offering confidential treatment from a nonprofit organization that operates independently of any state bar association or licensing agency. The group's office is in Rocky Hill, Conn., tucked away in anonymity with many parking spaces behind a building that houses several other businesses. Strict confidentiality, Griffin said, is the only way the program will work. There will be no written records of the attorneys

who come to it for help, she promised.

Griffin's new job, which she started in February, completes a cycle that began at a cocktail party when she first asked for help from a colleague who was recovering from alcohol abuse. When Griffin was struggling with alcoholism and chronic depression, she found solace in lawyer-only meetings held in Rocky Hill. Griffin hopes to have similar meetings hosted in New Haven, Torrington, Fairfield and New London.

William C. Leary, a probate judge in Windsor Locks and chairman of LCL-CT's board of directors, said Griffin's personal experiences will aid her in the role, just as his experience as a recovering alcoholic pushed him during his long crusade to get the nonprofit group in place.

Connecticut became one of the last states in the country to create a formal lawyers assistance program when LCL-CT registered last year as a 501(c) (3) nonprofit organiza-

tion, Griffin said. Funding comes from the annual assessments to the Client Security Fund, which are paid by anyone admitted to the Connecticut Bar. Last year, the assessments increased from \$75 to \$110, and LCL-CT operates on a percentage of that \$35 difference with an annual budget of approximately \$225,000. The program is open to any lawyer or judge, including those who are not members of the Connecticut Bar Association. For more than 25 years, Lawyers Concerned for Lawyers was a volunteer committee within the Connecticut Bar Association. While the lawyers and judges who will act as crisis intervention counselors are volunteers, funding will make the program more visible.

The program's initiative is to offer assistance before an attorney gets in trouble with the law or attorney-discipline officials. "I see it as a safety net," she said. "We can be there before you end up on the front page of" *(continued on page 4)*

Around the LAPs

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whirl wind tour of South Mississippi Coast. With Michael Sweeney's help we put on 3- 3 hour CLE workshops for our coast lawyers that were very well received. We gave CLE as an enticement because we are well aware of lawyers' resistance to expose their feelings. Michael donated his time and the cost of his airfare and some of his accommodations while here. His commitment to my bar president at the COLAP workshop was the impetus to get this going. Also Michael Cohen and his mother who is a psychiatrist "who wrote the book" on disaster in the late 70's put together a very comprehensive slide presentation that helped me enormously. I was able to do the speaking and Michael and Rachel Cohen did all the work. Michael Sweeney was able to present a peer to peer model for dealing with the pain and weariness of the aftermath of the storm from a

book by William Bridges.

So we called the workshops "Building Bridges of Hope". See attached flyer. I wanted to publicly praise Michael Sweeney for his gift to Mississippi Lawyers and Michael Cohen for his help to all my fellow lap folks. This is what we do for each other. What a great community of care givers to work with! I am blessed by you all!

Betty Daugherty Director Lawyers and Judges Assistance Program The Mississippi Bar

NEW YORK: - On Monday, June 5, 2006, NYSBA LAP & the Committee will present the Annual Forum, entitled: Substance Abuse in the Workplace: Legal Ethical & Practical Considerations. A panel of experts from different fields will discuss their experiences in recognizing and addressing drug and/or alcohol abuse by employees. Local treatment providers will be on hand to discuss various treatment options. The fields represented will be the law, business, law enforcement and sports. Speakers will include Patricia

Spataro, CEAP, Director of the NYSBA LAP, Peter Schweitzer CEAP, Director of the Nassau County Bar Association LAP, and Eileen Travis, LCSW, Director of the NYC BAR LAP. Three CLE credits are pending. Contact Eileen Travis, NYC LAP, 212-302-5787, to register.

VERMONT: With the help of the State of Vermont psychiatrist in charge of the Drug and Alcohol Division of the Board of Health, John Webber and team put on a little session for students at Vermont Law School. They have now been invited back to do this for the incoming first year class next fall. Assistant Dean of Academic and Student affairs, Matthew Houde, said, "I would like to send my sincere thanks for your role in organizing, and participating in the panel on anxiety, depression and substance use at Vermont Law School on April 6th. Your time, energy and commitment are greatly appreciated; I continue to get positive feedback from students in attendance."

Highlights is a quarterly newsletter published by the American Bar Association Commission on Lawyer Assistance Programs for the news and information exchange needs of the lawyer assistance programs community. Comments and proposed articles should be directed to spilisd@staff.abanet.org. Chair of the newly created Publications Board and *Highlights* Newsletter Editor, Hugh Grady; Staff Editor, Donna Spilis; Layout & Design, Gail Thompson; Events Editor, Stephanie Watson. All reprint rights are reserved. American Bar Association ISSN Pending. © 2006 American Bar Association. For reprint permission contact Nicole Maggio, Manager, ABA Copyrights and Licensing, 312-988-6102 or Maggion@staff.abanet.org.

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My Turn—SAMSHA and Katrina

by Connie Millimaki

Through SAMSHA I had the privilege of traveling to the storm ravaged Gulf Coast and providing help to Katrina evacuees on three separate occasions between October 2005 and January of 2006. While it is impossible to accurately capture the breadth of my experiences I hope to convey at least a sense of what it was like to serve on these deployments. My first deployment in October was to Houma, LA where I worked at a shelter set up in the gymnasium at Nichols College in nearby Thibodaux. Expecting to be providing substance abuse counseling I found myself working closely with FEMA, the Red Cross and other agencies helping evacuees sign up for FEMA assistance and then to obtain semi-permanent housing in trailers. My first night in the shelter I saw that the children, who found themselves in unfamiliar surroundings and unsure of their future, needed to have some fun. I went to local businesses and purchased what seemed like appropriate outside play equipment. Buying play equipment for children I didn't really know was a bit of a gamble but they were so appreciative. I spent time with the kids and even managed to charm some of the National Guard troops deployed in the area to get involved in supervising the kid's games. I soon realized that the people in the shelter, evacuated from their homes and the comfort of community, were in the throes of what I began to refer to as DCD; denial, courage and denial. They were in denial about the severity of the storm, had the courage to make it though the worst nature had to offer and then returned immediately to a denial about the reality of what had occurred. It became clear that many of the shelter residents had little trust in what the authorities were reporting about the state of their city. We took evacuees into New Orleans in an attempt to help them understand that it would be a long time, if ever, before they could return to their homes and neighborhoods. As a SAMSHA worker I went along to provide support for those going back to see the wreckage Katrina had wrought; back to see, for the first time, what remained of their homes and former lives. We traveled, convoy style, into the Ninth Ward, home to most of the shelter residents, with a sheriff's escort thought necessary because civil authorities had yet to secure the area. There was a palpable air of lawlessness that hung over the vacant streets and piles of rubble. I watched again and again as people, all of whom had left Thibodaux with a sense of hope, enter their homes with boxes to collect belongings only

to emerge with only a few scraps of paper and a stray item or two, if even that. The sadness in resident's eyes as we returned was haunting but it was not until they had seen the Ninth Ward with their own eyes that they would even look at the trailers FEMA was offering much less consider living in them.

My favorite experience from my October deployment came when I was able to connect an apartment owner in a less damaged section of New Orleans, in search of laborers to begin restoring his apartment units, with shelter residents desperate to return to the city they loved (or at least to get out of Thibodaux and the shelter), but needing both work and housing before they could do so. I was able to arrange both by convincing the apartment manager that hiring laborers from the shelter answered everyone's needs. It started, as these things often do, quite innocently. A woman we were trying to place outside the shelter came to me and said, with complete sincerity, that when she left the shelter she was going back to New Orleans or she was going nowhere at all. I tried with every bit of reason I could muster to get her to understand that there just was no realistic possibility of finding her an apartment in New Orleans. I told her of the vacant streets, piles of rubble, lack of electricity and services that I had witnessed. She listened politely but insisted that there must be a place for her to live. Realizing that there was nothing I could say to change her mind I invited her to come with me and we would make some calls and inquire about apartments. My thought was this was the only way for her to understand that what I was telling her was true and that her return was impossible, at least for the foreseeable future. She embraced my offer with enthusiasm and a bit of friendly "I'll show you in her eye" and we soon found ourselves pouring over the local paper's real estate section. Just like I thought the apartments, offered at over one thousand dollars a month, were way out of her price range, save one, an ad for one bedroom apartments at just three hundred dollars a month. I suspected this must be a misprint but we called anyway. I talked to the manager and he told me that the neighborhood used to be a heavy drug use neighborhood and he wanted to make some positive changes. He needed able bodied workers to get his units ready for more appropriate tenants. I agreed to help him find workers if he would guarantee that some of the elderly single folks from the shelter could have the finished apartments. I helped arrange for five young single men to move into the units while they

worked on the rehabilitation with a promise that the elderly single folks would follow after the work was done. I often wonder how this marriage of convenience has gone. I arranged this just before I left and never learned how it played out. I did, however, receive a call from the apartment manager at my home in Napa, CA following my return asking for contact numbers so he could get more people involved in this solution to many problems.

My December deployment was in Mandeville, on the north shore of Lake Ponchartrain, where I found myself working in an established Hammond, LA drug treatment program. The treatment program had found itself very short on help and lacking in group oriented materials. They made me welcome right away and were grateful to have someone step right in, run groups and handle intakes. After returning home I sent along a ream of materials I have been using successfully for many years. Someone had suggested that I take along a thumb drive so I was able to access both material I had used and was able to copy material that I encountered along the way. I highly suggest that SAMSHA volunteers, with apologies to the old advertising jingle, not leave home without one.

On the weekends the treatment team went to FEMA trailer parks armed with hotdogs, chips and juices and were able to get folks out for barbecues, allowing them to meet and network in a social setting. I was amazed that this community of relocated people, living so close to one another, hadn't even met. It was not a great jump from a handshake over a hot dog to, with our help, a discussion about carpooling, community child care so adults could more easily keep appointments and the sharing of transportation. Very few of the trailer residents had independent transportation. Until we stopped and thought about the plight of these people we found ourselves taking things like transportation for granted; forgetting that most of these folks were from

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Beth Griffin

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the newspaper or get the letter from the disciplinary committee."

The toll-free hotline, (800) 497-1422, is covered by Griffin for 10 hours out of the day, and callers are asked to leave a message no matter what time they call. In the future, she plans to make presentations at bar section meetings to educate legal professionals and let them know there is a support system of people with similar problems.

SAMSHA and Katrina

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the inner city and were people who had never needed assistance with these sorts of things. The process of brain storming ways to help this community develop inter-dependent relationships was a challenge, but thoroughly enjoyable. On occasion we went through neighborhoods handing out gloves, masks, water and energy bars. Having developed, over the years, a talent for appealing to the better side of most people's nature, I began visiting supply shelters and found the owners and managers more than willing to donate cases of supplies in exchange for our assurance that they would be distributed to people working on their homes. This turned out to be a very effective way to get people discussing their feelings and thoughts with us.

January found me back on the Gulf, this time in Pascagoula, MS where I was assigned to the Holiday Cruise Ship chartered by FEMA and still housing nearly 600 evacuees. Before my team arrived there were only two SAMSHA volunteers working the boat and they definitely had their hands full. Working with another team member we took on the job of developing programs for children. Living on a docked cruise ship for long periods of time; no ocean flowing by, no dolphins swimming off the prow and no charming port of call on the horizon is far different than the life depicted in the travel magazines. On a personal level, whatever desire I may have had to cruise has been substantially diminished. Soon after we arrived we realized that the first order of business was to get the area dedicated to child care and recreation in better order, cluttered as it was with the detritus of months of children being more or less left to their own devices. The chaos of the room was infectious in that the children turned chaotic as soon as they entered. I don't think we realized until we finished bringing some order to the chaos how important cleaning

up the area would be to the attitude and stress levels exhibited by the children. Once the clutter was gone we set up specific areas for different activities. After enclosing the reading area with bookcases we found that the children began using the area for recreational reading and for homework as well. The arts and crafts area attracted kids as soon as they saw one of us in the area. With all apologies to Kevin Costner there is more than a bit of truth to "if you build it they will come." We found a rug that had an inadvertent but amazing resemblance to a road way and began storing all of the toy cars near by. The kids quickly figured out how to put use to both. Another area was full of building blocks. There was a kitchen with stove, refrigerator, sink and cupboards that we began referring to as Home and Garden. Still another area had doll houses and furniture.

There was a very special place for toddlers and we began a Mom and Tots group every morning while the older children were in school. This gave us the opportunity to discuss a number of issues and we followed up each evening by going on-line to find the information that mothers or fathers needed to help their children cope with not only the loss of their homes but also the subsequent sense of imprisonment living on a cruise ship entailed. We opened the play area for the children to come in after school and again in the evening before bedtime. Once we realized that the ship was their street and neighborhood, at least for the time being, we understood the importance of establishing some sense of normalcy. We were able to help the kids make the best of the situation they found themselves in and at the same time take some pressure off of their parents. Perhaps not surprisingly, we found people beginning to trust us because we weren't asking them for anything.

All of my assignments were different but in a sense they were all the same. In Thailand they have a saying "Same Same, But Different." I can't think of a more accurate

way to describe my three experiences. I didn't really know what to expect on any of my three deployments. I boarded the plane in San Francisco each time with little more than the suggestion that SAMSHA provided me; "Be flexible". It was the best advice I could have received. I never knew for sure when I would find myself of use but was determined to always stay in the moment.

I was invited by FEMA to do a staff presentation on stress reduction and the need for staff to take care of themselves. Some of the things that stand out, as I look back on my time in the Gulf came where I least expected to be of use. One night I went, iron in one hand and shirt in the other, to the laundry room and soon found myself holding a woman while she cried for half an hour. She told me she would never have sought us out and was not about to burden anyone else on the ship with her problems. On another occasion I found myself counseling our waitress at K-Paul's over desert (we treated ourselves to dinner one evening and managed to cajole the waitress into letting us in a minute or two after closing time). This woman was soon talking about her personal experience, so thankful she had finally found a situation in which she could talk about her losses.

Realizing that it is impossible to help everyone I decided to simply help the people I could and as many of them as I came across. I'm a better person for the experience.

About the Author: Connie Millimaki is a Relapse Prevention Specialist and certified by CAADAC; NAADAC II; and ICRC. Since November of 2005 she has spent eight weeks on the Gulf Coast providing disaster relief through SAMSHA. She is the Co-Founder and former Executive Director of Alternatives for Better Living in Napa, California. Today she operates Women Alive, a treatment program for women who are victims and/or perpetrators of domestic violence and a former Drug Court Coordinator. You can reach her at cmillimaki@scglobal.net

Case Law Corner

Attorney Grievance Commission of Maryland v. Holt, 2006 Md. Lexis 121 (March 12, 2006) involves a discussion of the purpose of attorney discipline in a case involving cocaine addiction. Holt, an administrative law judge, purchased and used cocaine while on assignment for the Social Security Administration in Puerto Rico. He also admitted to abusing alcohol. He stopped using the drug when he returned to Maryland but relapsed upon his return to Puerto Rico a

second time. He pled guilty to possession of cocaine and abetting another individual who participated in the crime with him. He was placed on probation and was subject to random urine drug tests.

The hearing court noted that Holt complied with all supervisory conditions imposed upon him and voluntarily entered into the Maryland State Bar Association's lawyer's assistance program. The Commission urged a finding of indefinite suspension, while Holts requested a reprimand. The Court stated that the purpose of attorney discipline is not the punishment of the erring attorney; rather, it is

for the protection of the public.

In imposing its sanction the Court accounted for the relapse when Holt returned to Puerto Rico the second time. The Court imposed an indefinite suspension sanction. It was the Court's view that the more severe sanction was necessary because there was a close connection between the cocaine use and the practice of law and was therefore more serious.

There were two dissenting judges who would have imposed disbarment in part because Holt violated the Maryland Code of Judicial Conduct.



IN MEMORIAM

In Memory of John W. Keegan (1930-2006)

ABA CoLAP Chair 1992-1995

(Excerpt from Eulogy delivered February 11, 2006 by Barry Roark Strutt, his law partner at Keegan, Keegan & Strutt, LLP. The full Eulogy is available from CoLAP Staff.)

This group is so large, and we are all assembled here as one large group for one reason: to bear witness that Jack was the living and true embodiment of the realization of the idea of the extended family—the successful and loving extended family.

And make no mistake; Jack was at its head.

First, The blood Keegans are in evidence everywhere—as it should be in every prolific, Irish family: his loving wife, his childhood sweetheart, Audrey; his younger brother, Ray; his steadfast sons, John, Greg, and Kevin (and we can count among his sons—Michael Murphy—whom he loved as a son); his devoted daughter, Laurie, (and we must include Michael Murphy’s sisters—Eileen Rossi and Maureen Fargo—whom Jack and Audrey loved and raised as their daughters), and of course, there are his sixteen glorious grandchildren! So many of them you wondered how there could be any room in his heart for all those Keegan grandkids. But there was room. There always was plenty of room—because Grandpa Jack made room. That’s how big his heart was. And that’s where we come in—the rest of us. Because Jack made room for all of us assembled here: his neighbors, friends, colleagues, past clients, associates, and even casual acquaintances.

But it was hard to remain a casual acquaintance of Jack Keegan. Jack was a walking fellowship. If you walked down the street with him, it was hard to get to where you were going—people would come out of the woodwork to shake his hand. And Jack found fellowship wherever he went—whether it be at a meeting; or at exercise class, or at a class reunion.

In the 15 years I practiced law with Jack, I shared not only physical space, I shared the endless intellectual and emotional energy that made up Jack Keegan. And now I am honored and grateful to the Keegan family to be asked to say a few words to honor Jack’s memory. When I first showed up at the Keegan’s doorstep here in White Plains back in 1990, Jack and Ray were practicing law

together. When I returned home from that first interview, my wife, Fran, asked me how it went. I said: “Fine. One guy sounded a little like a truck driver—and the other guy seemed as smooth as Perry Como.” (I think we all know which was which.)

Now Audrey asked me to remember her Jack with these words: “Jack was my heart. He was my protector. I loved—and was loved. I have known Jack since I was 16. I think God matches some of us early.” I think you’re right, Audrey. And sometimes it is a perfect match. And I know Jack always sought shelter in your warm and caring embrace.

How do I know that? Because I know about date night. Date night?

What was date night? It was, of course, Thursday night—movie night. Date night. You take your childhood sweetheart and you double date with your best friend and his wife from the neighborhood—from the time you were teens—and you go to the movies every Thursday night. And because it’s Jack—he means every Thursday night. And you do it without fail—decade, after decade, after decade. It came from the heart. That was Jack.

Audrey once said to me that “Jack was my teacher, you know.” Well, Audrey, Jack was a teacher to all of us—every one of us. Jack was a great teacher because he taught by example. Ah—to hold oneself as Jack did. Always upright and straight as an arrow. He had a calmness about him. A quiet strength and an almost intimidating dignity. And that penetrating, almost hypnotic gaze that seemed to come from somewhere deep within. He had a commanding presence and dignity that, I think, came from constantly struggling for self-truth and then living the truth however humbling and difficult it might be to accept. And Jack was a great teacher because he did the hard work of finding out who he really was. It was a life-long process for Jack—as it should be for all of us.

There was so much to admire in Jack. The inner strength of character, the stability—and he was above all else—a paragon of responsibility! I swear in all the time I knew him, he never missed a meeting—of any kind. Not once. Oh, and Jack was a perfectionist and punctual—to a fault. One of Jack’s great pleasures was rooting for the Yankees. Thanks to Mike Cerussi, Jack got

to see virtually every Tuesday home game and many weekend games year after year. He’d take his cronies and often, John and I.

And how about the way Jack dressed, huh? Let’s dress Jack. The shined shoes. Spit-shined. The smartly tailored Brooks Brother’s suits. (Had to be.) And the perfectly folded handkerchief in his left breast pocket. The white shirts—with the Ivy League, button-down collars—it had to be white—(He knew what suited him. Nothing trendy or phony about Jack!)

And the thing about the cuffs—there had to be exactly an inch and a half of white showing. And then we put on the navy-blue, Burberry top coat—topped off with the Kangool cap—(three colors: blue, black, and grey). On the weekends Jack would dress down—which was dressing up for a lot of people. That meant the natty blue blazer and now, perhaps, a blue shirt. He could have been a clothes model, if he had loved anything but the law.

And he was a strikingly handsome man—that silver mane of hair, and every hair always perfectly in place—(I think it might have had something to do with his almost weekly trips to Mike the Barber—and that can of hairspray that used to rattle around in the bottom drawer of his desk!)

For all his talents, and good looks, Jack was really a humble man, with a great sense of humor—and an infectious laugh—he loved to tell a good joke or a good story—and he was good at it. And there was nothing pretentious or fancy about Jack. He was basically a meat and potatoes man, a BLT guy—a diner guy. And generous? Just ask Rose, his dedicated and loyal secretary for some fifty years—about the reams of checks that went out to Covenant House, Catholic Charities, the Indian Missions, and on and on.

No one lives a perfect life. And Jack would be the first to second that. But Jack learned long ago to confront his demons and change—change or die—it was as simple as that: Jack was all about redemption and transformation. Laurie reminded me that “a man’s success is measured by the lives he touched, and left them better from knowing him.” Jack Keegan was that man! There is absolutely no doubt about that. So many

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John W. Keegan

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friends. So many good friends. So many best friends. And if you weren't his best friend—you wished you could be—it was something to aspire to.

So was Jack a success by that measure? Well, as many people who came up to Jack's children over the years and stopped them on the street to say: "You know, I love your Dad, he saved my life"—you would have thought he had been a world famous heart surgeon. But Jack had a different mission in life he was famous for. A different way of saving people. Perhaps an even more important one. And he did save lives. He did change hearts.

We are all in awe of Jack's courage—not just his emotional and spiritual courage, but his physical courage too! His heart had been battered black and blue by those past surgeries! He had to be in pain, but he never let on that he was. Jack didn't complain or quit when lesser men would have. He pressed on. To the end, there was not an ounce of quit in Jack Keegan.

We're never really ready when God takes the ones we love. But we all know where Jack is! The way he lived his life—he was always just One Step away from those gates.

How do you eulogize a legend? How do you sum up a life of tireless service?—A life so-well lived. So many friends. So many close friends. So many best friends.

Being Jack's partner taught me a lot about the art of persuasion—And about how important the art of summation is—Because when you get to the last part of the trial, the defendant presents his arguments first, then the plaintiff gets his turn. And Jack was a plaintiff's lawyer. Now sometimes a defendant's lawyer, or perhaps even a judge, might pick away at the weaknesses in your case. (It could happen in conference, in chambers, or even out in the hall.) And whenever this happened, Jack's trump card would always be: "I still get to speak last, don't I?"

Yes Jack, You do get to speak last. Because you are in each of us. You are in our hearts, in our minds, and in our souls. And now that you are gone—you will continue to speak through us—in the stories we tell about you. And more important, as we remember, and cherish, and pass on to others, the lessons of life you taught us.

So yes, you still get to speak last, Jack.

We love you Jack. Husband, Father, Grandpa, Brother, Uncle, Friend, Colleague, Counselor of troubled souls, Champion of Justice, Partner to us all—You were the best at everything you did. We miss you madly already We will miss you always.

CoLAP News

by Chair Richard Soden

Having just returned from CoLAP's Spring Meeting in Greensboro, North Carolina, I would like to first thank our two sponsors from the treatment field. Pacific Hills Treatment Centers, Inc. sponsored the May 3rd breakfast; and the Hanley Center sponsored the Thursday breakfast. Thanks to their support, we are able to keep our meetings open to all interested parties. In each issue of Highlights, I plan to focus on one or more of the new and ongoing committee projects. At this time, we have the following committees and task forces at work: LifeBalance, Law School Assistance, ABA Outreach, 19th National Conference Planning, Publications Board, Diversity Initiative, Sponsorship Policy, LAP Services/Evaluations, Membership/Organization, Surveys, and the Judicial Assistance Committee.

A good portion of time in Greensboro was devoted to the strategic planning session for the Judicial Assistance Committee, which was facilitated by Dolores Gedge from the ABA Planning Office, and chaired by Judge Robert L. Childers. More than 25 people participated in the development of a three year plan. Through a series of questions, the participants examined the issues involved in Judicial Assistance, what the barriers are for judges, what opportunities are currently available to enhance development of the Judicial Assistance Program, and what specific steps CoLAP would like to take over the next three years to design a program that can assist the LAPs throughout the United States providing the best possible services to judges in need. Four working groups were created: Education, Judicial Administration, Networking and Peer-to-Peer Support. There will be a follow up meeting in Hawaii during the ABA Annual Meeting this August. We hope to be able to do a presentation to specific entities within the ABA Judicial Division to increase awareness and solicit additional support.

Substance Abuse in Law Schools: A Tool Kit for Law School Administrators has been distributed to Deans at all ABA accredited law schools, and has been approved for reprinting. The cost of the initial print run for the law school deans and each lawyer assistance program was donated by South Texas College of Law. ABA has approved the *Tool Kit* for distribution to the ABA Package Plan, so an additional 200 copies will be duplicated and made available for purchase at a special discount rate for LAP Directors. *If you have not notified her of your interest* in purchasing a copy, please do so quickly since there still will be a limited number available. I would

again like to thank Dean Gena Lewis Singleton and our Law Student Division liaison, Cal Baker, for the many hours they spent developing and creating this excellent product as part of the CoLAP Law School Assistance Committee.

In April CoLAP submitted a memorandum for review by the ABA Standing Committee on Scope and Correlation of Work. Scope's mission is to study "the structure, functions, and work" of ABA entities to determine if they should continue, be sunsetted or merged with other existing entities. As a result of the review, Scope concluded that the Commission should continue. Scope commended the Commission for doing excellent work, and all Scope members agreed that the Commission serves as an excellent ABA representative in the broader legal community, showcasing the work that the ABA conducts on behalf of lawyers.

As part of CoLAP's Diversity Initiative, Commissioner W. Terry Sherrill represented us at the National African American Drug Policy Coalition Drug Summit in Washington, DC. He spoke to many participants, who were impressed with the work being done by the ABA in the area of support to African American attorneys and quality of life issues.

Barbara Harper, chair of the LifeBalance Task force submitted the following report. "The LAP Directors LifeBalance Task Force is looking for your input. In recent years it has become more and more evident that some LAP Directors take better care of lawyers who come to them for assistance than they do themselves. Even when directors caution one another to take care of yourself or you won't be able to care for others' chances are many do not heed the advice. That being said, the LifeBalance Task Force is working to discover ideas for the care and nurturing of directors.' A questionnaire will be sent to you for your comments and recommendations. Please take a few minutes to fill it out. The Task Force thanks you in advance."

The 19th National Conference Chair Derek LaCroix encourages you to make your hotel reservations at the Sir Francis Drake Hotel soon (800-795-7129). Chair LaCroix reports, "It will be in San Francisco from October 24 to 27, 2006. This year's conference once again promises an array of excellent speakers and fantastic topics. Speakers include Matthew Fox and Mike Brady and other well known and interesting presenters as well as many of our own LAP Directors, who have a phenomenal depth and breadth of skill and knowledge. This year we will have a program for spouses and friends, so bring someone along to enjoy the City on the Bay and the group events. The planning

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Commission on Lawyer Assistance Programs
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*New Advisory Commission Member

CoLAP News

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committee has been working hard and has come up with some great ideas. We have fabulous rates at the Sir Francis Drake \$135 (+14% tax) and an opportunity to enjoy the Bay Area, networking, and fellowship. Each year we are told that the Conference is better and better (if that is possible as they have all been great). ILAA will hold its Annual Meeting on Oct. 27-29 at the same facility." See Calendar of Events for more information.

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